

NOT ADOPTED

RESOLUTION NO. 18-04-09

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2  
3 A RESOLUTION OF THE HISTORIC PRESERVATION  
4 BOARD OF THE TOWN OF LAKE PARK, FLORIDA  
5 APPROVING THE APPLICATION OF MARGARET R.  
6 NOLAN, CAROLINE B. NOLAN, AND ANGELA M.  
7 NOLAN, FOR THE DESIGNATION OF A TWO-STORY  
8 MISSION STYLE PRIVATE RESIDENCE WITH GARAGE  
9 LOCATED AT 211 PARK AVENUE AS A LOCALLY  
10 SIGNIFICANT STRUCTURE; SUBJECT TO THREE  
11 CONDITIONS OF APPROVAL; AND PROVIDING FOR AN  
12 EFFECTIVE DATE.  
13

14 WHEREAS, Margaret B. Nolan, Caroline B. Nolan, and Angela M. Nolan, are the fee  
15 simple owners ("Owners") of a two-story Mission-style private residence with garage  
16 ("structure"), located at 211 Park Avenue ("Property") in the Town of Lake Park, Florida  
17 ("Town"), as legally described in the **Exhibit "A" and which is incorporated herein;** and

18 WHEREAS, the original structure was built in or about 1923, and has masonry  
19 construction, is clad in stucco, has a low-pitched shingle "S" tile roof, and represents the style of  
20 residential private house structures built in the early 1920's "Boom Times" era of the Town of  
21 Lake Park, then known as "Kelsey City"; and

22 WHEREAS, the Property is generally located on the north side of Park Avenue, between  
23 2<sup>nd</sup> and 3<sup>rd</sup> Streets; and

24 WHEREAS, the Owners submitted an application ("Application") to the Town  
25 requesting that this structure be designated as a "locally significant structure" by the Town's  
26 Historic Preservation Board requesting designation of the Property as a locally significant  
27 property, pursuant to Section 66-9 of the Town's Code of Ordinances; and

28 WHEREAS, it is the policy of the Town of Lake Park to protect and preserve in  
29 perpetuity those sites of local historic and archeological character and therefore the Town  
30 Commission has adopted specific procedures for the designation of locally significant sites,  
31 structures, properties and other places and codified this policy in Chapter 66 of the Town's  
32 Code of Ordinances; and

33 WHEREAS, Town staff has reviewed the Application and has presented its  
34 recommendations to the Town's Historic Preservation Board; and

1           **WHEREAS**, the Town’s Historic Preservation Board has conducted a duly noticed,  
2 quasi-judicial public hearing on Monday, April 6, 2009 in accordance with the requirements of  
3 state and local law to consider the Application; and

4           **WHEREAS**, at this hearing, the Town’s Historic Preservation Board considered the  
5 evidence presented by Town Staff, and the Owners’ agents , as to the Application’s consistency  
6 with the Town Code, the Secretary of the Interior’s Standards for Rehabilitation and the Town’s  
7 Comprehensive Plan; and

8           **WHEREAS**, the Town’s Historic Preservation Board has determined that the conditions  
9 of approval set forth in Section 3 herein, are necessary for the designation of the structure to be  
10 consistent with the Town’s Comprehensive Plan, and to comply with the Town Code’s  
11 regulations pertaining to historic preservation; and

12           **WHEREAS**, the conditions of approval set forth herein shall apply to the Owners and  
13 their successors and/or assigns.

14           **NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION**  
15 **BOARD OF THE TOWN OF LAKE PARK AS FOLLOWS:**

16           **Section 1. Findings of fact and conclusions of law.** The whereas clauses are hereby  
17 incorporated as the Historic Preservation Board’s findings of fact and conclusions of law.

18           **Section 2. Approval of the Application and designation of the structure as a locally**  
19 **significant structure.** The Town’s Historic Preservation Board hereby approves the  
20 Application for designation of the structures on the Property as a “locally significant structure”  
21 based on the satisfaction of all of the criteria required for such a designation as set forth in  
22 Section 66-9 of the Lake Park Code of Ordinances pertaining to historic preservation.

23           **Section 3. Conditions of approval.** The designation of the structure on the Property  
24 located pursuant to this Resolution, shall be subject to the following conditions of approval,  
25 which shall run with the land on which the structure is located:

- 26           (1) The designation is contingent upon the Owners’ completion of all renovations as set  
27 forth on the plans submitted by or on behalf other Owners to the Town pursuant to  
28 Town Building Permit Application No.: 09-000076; 08-000777 ; 08-000772 ; 08-

1 000773, and which plans are referenced as "A.0 through A.4," dated 01/05/09, and  
2 were prepared by Mesa Architecture (the architect of record for the project); and

3 (2) All additional exterior work to be conducted on the designated structure which has  
4 not yet been made known to the Town and/or which has not been presented to the  
5 Town by or on behalf of the Owners as part of this Application for designation, shall  
6 be presented to the Historic Preservation Board through the Town's Certificate of  
7 Appropriateness process in accordance with the requirements of Town Code Section  
8 66-10; and

9 (3) As part of this approval, a stucco band shall be included around the designated  
10 structure on the residence (not garage) as part of the plans submitted .

11 **Section 4. Directions for transmittal of Resolution to the Clerk of the 15<sup>th</sup> Judicial**  
12 **Circuit Court for recordation in the Public Records of Palm Beach County.** Upon adoption,  
13 this Resolution or a certified copy of this Resolution shall be transmitted to the Clerk of the 15<sup>th</sup>  
14 Judicial Circuit Court for recordation in the Public Records of Palm Beach County, Florida in  
15 accordance with the requirements of Section 66-9(d)(9) of the Lake Park Code of Ordinances.

16 **Section 5. Effective date.** This Resolution shall take effect upon adoption.  
17

18 **Attachments:** Legal description of Property.  
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20

21 **Approved as to form and legal sufficiency:**  
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23 \_\_\_\_\_  
24 Town Attorney, Thomas J. Baird

23 \_\_\_\_\_  
24 Chairman of the Historic Preservation  
25 Board, Jeff Blakely

26 Attest:  
27

27 \_\_\_\_\_  
28 Town Clerk, Vivian Mendez Lemley

(Town Seal)

1     **Exhibit “A” – LEGAL DESCRIPTION**

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4     LOT(S) 32 AND 33, BLOCK 31, KELSEY CITY (NOW KNOWN AS LAKE PARK),  
5     ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF  
6     THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN  
7     PLAT BOOK 8, PAGE 15, SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH  
8     COUNTY, FLORIDA.